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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, MINH DIEU T

ART UNIT PAPER NUMBER

2137

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/923,966

Applicant(s)

FACCIN ET AL.

Examiner

Minh Dieu Nguyen

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication dated June 16, 2005 with the amendment to the drawing.

Claims 1-16 are pending.

Response to Arguments

2. Applicant's arguments, filed June 16, 2005 with respect to the rejection(s) of claim(s) 1-16 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Magee et al. (2002/0056001), Lewis (6,526,506) and Tummala et al. (6,915,345).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Magee et al. (2002/0056001) in view of Lewis (6,526,506).

a) As to claims 1 and 9, Magee discloses a system and method for providing secure, real time communications in a communications network between a user and a network comprising forwarding identifying information and a request for a security association (addressed by Lewis) from a mobile node (Fig. 3, element 113) via a first interface to a first network element (i.e. visited network, Fig. 3, element 203); forwarding the identifying information and the request for a security association from the first network element to a second network element (i.e. home network) via a second interface (Fig. 3, page 1, paragraph [0017], page 2, paragraphs [0029, 0032]); performing negotiations between the first network element and the second network element (Fig. 3) via the second interface to establish a security association (page 3, paragraphs [0032, 0034]) between the mobile node and the first network element, the second network element utilizing previously stored security association parameters of the mobile node (page 2, paragraph [0029]); and upon agreement between the first network element and the second network element with regard to the security association parameters, the first network element forwarding the agreed-upon security association parameters to the mobile node via the first interface (page 3, paragraph 0036)).

Magee implicitly discloses forwarding identifying information from a Mobile Node to a first network element (i.e. providing some form of identification when registering in the visited network, page 2, paragraph [0031]), however not a request for a security association from a mobile node to a first network element.

Lewis discloses an encryption scheme and access point for providing two or more levels of encryption to prevent unauthorized access to the network (col. 1, liens 7-10) comprising forwarding a request for a security association from a mobile node to a first network element (Fig. 11).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of requesting a security association from a mobile node to a first network element in the system of Magee, as Lewis teaches so as to provide secure communications in a network.

b) As to claims 2 and 10, Magee discloses performing negotiations between the first network element and the second network element via the second interface includes exchanging parameters for the establishment of the security association (page 2, paragraph [0018]).

c) As to claims 3 and 11, Lewis discloses the first interface comprises a wireless interface to forward information between the mobile node and the first network element (col. 1, lines 26-32).

5. Claims 4-8 and 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Magee et al. (2002/0056001) in view of Lewis (6,526,506) and further in view of Tummala et al. (6,915,345).

a) As to claims 4 and 12, Magee and Lewis do not disclose the first network element is connected to a first gateway.

Tummala discloses a system providing a security framework for control plane messages between different domains as the Mobile node roams throughout the network (col. 9, lines 61-64) comprising the first network element (i.e. foreign network) is connected to a first gateway (Fig. 4, element 345).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of connecting the first network element to a first gateway in the system of Magee and Lewis, as Tummala teaches so as to enhance the security in network communications.

b) As to claims 5 and 13, Tummala discloses the first gateway comprises a AAA server (Fig. 4, element 349).

c) As to claims 6 and 14, Magee discloses the second network element comprises a subscriber database (Fig. 3, element 303). Tummala discloses the second network element comprises an authentication center (Fig. 4, element 317).

d) As to claims 7 and 15, Tummala discloses the second network element further comprises a second gateway (Fig. 4, element 315) connected to the subscriber database and authentication center.

e) As to claims 8 and 16, Khalil discloses the second gateway comprises a AAA server (Fig. 4, element 317).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-3873. The examiner can normally be reached on M-F 6:00-2:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Minh Dieu Nguyen
Examiner
Art Unit 2137

mdn
mdn
9/8/05

E. Moise
EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER